

1 Jason M. Leviton (*pro hac vice to be submitted*)

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8 *Attorneys for Plaintiffs*

9 UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11
12 BRUCE MACDONALD, Individually and on
13 Behalf of All Others Similarly Situated,

14 Plaintiff,

15 v.

16 DYNAMIC LEDGER SOLUTIONS, INC., a
17 Delaware Corporation, TEZOS
18 STIFTUNG, a Swiss Foundation,
19 KATHLEEN BREITMAN, an
20 Individual, ARTHUR BREITMAN,
21 an Individual, TIMOTHY COOK DRAPER, an
22 Individual, DRAPER ASSOCIATES, JOHANN
23 GEVERS, DIEGO PONZ, GUIDO SCHMITZ-
24 KRUMMACHER, BITCOIN SUISSE AG,
25 NIKLAS NIKOLAISEN and DOES 1-100,
26 INCLUSIVE,

27 Defendants.

Case No. 3:17-CV-07095

**DECLARATION REGARDING
ELECTRONIC SERVICE OF
SUMMONS ON DEFENDANTS
RESIDENT OUTSIDE THE UNITED
STATES**

I, Jacob A. Walker, declare as follows:

1. I am an attorney licensed to practice in the State of California and before the District Court for the Northern District of California. This declaration is based on my personal knowledge of the matters set forth herein.

2. I am an attorney of record for Plaintiff Bruce MacDonald in the above-captioned matter.

3. On December 15, 2017, I prepared an e-mail containing the text of the summons and a notice about the upcoming hearing on Plaintiff's application for a temporary restraining order, and attaching all documents filed on the docket as of this morning (the "Service E-Mail").

4. On December 15, 2017, the Court issued an Order Granting Plaintiff's *Ex Parte* Application For Leave To Effect Electronic Service on Newly Identified Addresses for Defendants Johann Gevers and Diego Ponz (a/k/a Diego Oliver Fernandez). (ECF No. 25.)

5. On Saturday, December 16, 2017, at 9:14 a.m. pacific time, I sent the Service E-Mail to johann@gevers.net directed to Defendant Johann Gevers. A true and correct copy of the e-mail is attached as Exhibit A.

6. On Saturday, December 16, 2017, at 9:14 a.m. pacific time, I sent the Service E-Mail to diegoolivierfernandezpons@gmail.com directed to Defendant Diego Ponz (a/k/a/ Diego Oliver Fernandez). A true and correct copy of the e-mail is attached as Exhibit B.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on December 18, 2017.

DATED: December 18, 2017

BLOCK & LEVITON LLP

By: /s/ Jacob A. Walker

Jacob A. Walker (271217)

BLOCK & LEVITON LLP

155 Federal Street, Suite 400

Boston, MA 02110

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CERTIFICATE OF SERVICE

Pursuant to L.R. 5-5, I certify that on December 18, 2017, I caused to be served copies of the foregoing EX PARTE APPLICATION FOR LEAVE TO EFFECT ELECTRONIC SERVICE ON DEFENDANTS RESIDENT OUTSIDE THE UNITED STATES; MEMORANDUM OF POINTS AND AUTHORITIES on the persons listed below at the addresses listed below.

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Counsel for Arthur Breitman and Kathleen Breitman

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tdraper@prosper.com;
tim@prosper.com.

Counsel for Distributed Ledger Solutions, Inc.

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johanngevers@monetas.net;
johann@gevers.net.

Counsel for Tezos Stiftung

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guido@addcon.nl;
guidoschmitzkrummacher@addcon.nl;
gschmitzkrummacher@addcon.nl;
guidos@addcon.nl;
guido.schmitzkrummacher@addcon.nl.

15 Dated: December 18, 2017

/s/ Jacob A. Walker

Jacob A. Walker

EXHIBIT A

Brooke Jordy

From: Jake Walker
Sent: Saturday, December 16, 2017 12:14 PM
To: johann@gevers.net
Cc: Joel Fleming
Subject: SUMMONS - To: Johann Gevers
Attachments: N.D. Cal. 17-cv-07095 dckt 000008_001 filed 2017-12-14 Plaintiffs Memorandum of Law In Support of Ex Parte Application for TRO.pdf; N.D. Cal. 17-cv-07095 dckt 000008_002 filed 2017-12-14 Certification Regarding Notice.pdf; N.D. Cal. 17-cv-07095 dckt 000008_003 filed 2017-12-14 Exhibit A.pdf; N.D. Cal. 17-cv-07095 dckt 000008_004 filed 2017-12-14 Proposed Order.pdf; N.D. Cal. 17-cv-07095 dckt 000010_000 filed 2017-12-14 Order Regarding Application for TRO.pdf; N.D. Cal. 17-cv-07095 dckt 000011_000 filed 2017-12-14 Ex Parte Application for Leave to Effect Electronic Service.pdf; N.D. Cal. 17-cv-07095 dckt 000011_001 filed 2017-12-14 Proposed Order.pdf; N.D. Cal. 17-cv-07095 dckt 000012_000 filed 2017-12-14 Order Granting Plaintiffs Ex Parte Application.pdf; N.D. Cal. 17-cv-07095 dckt 000001_000 filed 2017-12-13 Verified Complaint.pdf; N.D. Cal. 17-cv-07095 dckt 000001_001 filed 2017-12-13 Civil Cover Sheet.pdf; N.D. Cal. 17-cv-07095 dckt 000002_000 filed 2017-12-13 Summons.pdf; N.D. Cal. 17-cv-07095 dckt 000003_000 filed 2017-12-13 Notice of Appearance.pdf; N.D. Cal. 17-cv-07095 dckt 000005_000 filed 2017-12-14 Notice of Appearance.pdf; N.D. Cal. 17-cv-07095 dckt 000006_000 filed 2017-12-14 Related Case Order.pdf; N.D. Cal. 17-cv-07095 dckt 000007_000 filed 2017-12-14 Notice of Eligibility for Video Recording.pdf; N.D. Cal. 17-cv-07095 dckt 000008_000 filed 2017-12-14 Ex Parte Application for Temporary Restraining Order.pdf

Importance: High

TO: Johann Gevers

**UNITED STATES DISTRICT COURT
for the
Northern District of California**

*Bruce MacDonald, individually and on behalf
Of all others similarly situated*

v.

Dynamic Ledger Solutions, Inc., et al.

Case No. 3:17-cv-07095-RS

SUMMONS IN A CIVIL ACTION

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. (a)(2) or (3) – you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

Reed R. Kathrein (139304)
HAGENS BERMAN SOBOL SHAPRIO LLP
750 Hearst Avenue, Suite 202
Berkeley, CA 94710
Telephone: (510) 725-3000; Facsimile: (510) 725-3001
reed@hbsslaw.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You must also file your answer or motion with the court.

The Court has authorized service of this summons via electronic means. *See* Dkt. No. 12, 25.

PLEASE SEE THE ATTACHED DOCUMENTS, WHICH INCLUDE ALL DOCUMENTS FILED IN THIS CASE TO DATE. PLEASE NOTE DKT NO. 10, INDICATING THAT A HEARING REGARDING THE ISSUANCE OF A TEMPORARY RESTRAINING ORDER WILL BE HELD ON **TUESDAY, DECEMBER 19, 2017 AT 10 a.m.** IN COURTROOM 3, 17th FLOOR, UNITED STATES COURTHOUSE, 450 GOLDEN GATE AVENUE, SAN FRANCISCO, CALIFORNIA.

—
Jacob A. Walker
Block & Leviton LLP
155 Federal Street, Suite 400, Boston, MA 02110
(617) 398-5617 direct

EXHIBIT B

Brooke Jordy

From: Jake Walker
Sent: Saturday, December 16, 2017 12:14 PM
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Cc: Joel Fleming
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Importance: High

TO: Diego Ponz

**UNITED STATES DISTRICT COURT
for the
Northern District of California**

*Bruce MacDonald, individually and on behalf
Of all others similarly situated*

v.

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Reed R. Kathrein (139304)
HAGENS BERMAN SOBOL SHAPRIO LLP
750 Hearst Avenue, Suite 202
Berkeley, CA 94710
Telephone: (510) 725-3000; Facsimile: (510) 725-3001
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—
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